

**REDACTED VERSION  
PURSUANT TO 35-A M.R.S.A. § 704(5)**

STATE OF MAINE  
PUBLIC UTILITIES COMMISSION

Docket No. 2004-546

September 20, 2004

**[Customers]**

ORDER

Appeal of Consumer Assistance Division  
Decision #2004-17739 Regarding Eastern  
Maine Electric Co-op

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WELCH, Chairman; DIAMOND and REISHUS, Commissioners

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**I. SUMMARY**

In this Order, we uphold the July 8, 2004 and July 27, 2004<sup>1</sup> decisions of our Consumer Assistance Division (CAD) concerning Eastern Maine Electric Cooperative (EMEC) members **[Customers]**.

**II. BACKGROUND**

On May 12, 2004, **[Customer]** contacted CAD about a high bill dispute he was unable to resolve with EMEC. According to EMEC the following usage was recorded on the **[Customer's]** meter:

<u>Reading Date</u>	<u>kWhs</u>	<u>Charge</u>
12/09/03	1089 kWhs	\$79.73
1/09/04	1184	86.75
2/08/04	4039	293.67
3/08/04	2733	199.02
4/09/04	2285	173.23
5/09/04	1013	74.35
6/07/04	692	51.09

At the **[Customer's]** request, EMEC tested the meter April 5 and found it to be operating within the parameters allowed under the Commission's rules. EMEC found several conditions existed at their home which could have contributed to higher usage including the connection the customer had made between the residence and a garage. CAD issued its decision on July 8, 2004, finding that the **[Customers]** were liable for paying for the amount of usage recorded on the properly operating meter.

On August 3, 2004, the **[Customers]** appealed CAD's decision to the Commission. The **[Customers]** continue to dispute the amount of usage.

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<sup>1</sup> The original decision was mailed to an incorrect address so it was reissued on July 27, 2004.

**REDACTED VERSION**  
**PURSUANT TO 35-A M.R.S.A. § 704(5)**

**Order**

**2**

**Docket No. 2004-546**

**III. DISCUSSION AND DECISION**

Absent evidence of a defective meter, a customer is responsible for the cost of electricity once it passes through the meter. There are a various factors that could result in electricity being used when a customer believes all household appliances and electrical equipment are not in use. The **[Customers]** may wish to check with an electrician if other high usage situations occur in the future. Given that EMEC billed the **[Customers]** for the usage that was recorded by a properly operating meter, we uphold CAD's decision (which included a payment arrangement) and decline to investigate this matter further.

Dated at Augusta, Maine, this 20<sup>th</sup> day of September, 2004.

BY ORDER OF THE COMMISSION

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Dennis L. Keschl  
Administrative Director

COMMISSIONERS VOTING FOR:      Welch  
Diamond  
Reishus

**REDACTED VERSION**  
**PURSUANT TO 35-A M.R.S.A. § 704(5)**

**Order**

**3**

**Docket No. 2004-546**

**NOTICE OF RIGHTS TO REVIEW OR APPEAL**

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within **21 days** of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Appellate Procedure.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.